

## REMARKS

In the October 4, 2004 Office Action, the Examiner noted that claims 1-49 were pending in the application; objected claims 5 and 48 due to informalities; objected to claims 13, 17 and 33 as dependent from rejected base claims; rejected claims 1-3, 23-25, 39 and 47-49 under 35 USC § 102(b); and rejected claims 4-12, 14-16, 18-22, 26-38 and 40-46 under 35 USC § 103(a). Although claim 33 was listed on the first line of item 8 on page 4 of the Office Action as rejected under 35 USC § 103(a), there was no discussion of claim 33 in item 8 and claim 33 was indicated as allowable in item 4 of the Detailed Action and in item 7 of the Office Action Summary. Therefore, it will be assumed that claim 33 was not intended to be rejected under 35 USC § 103(a). In rejecting the claims, U.S. Patent 5,897,671 to Kanevsky et al. (Reference A in the October 4, 2004 Office Action); 6,601,062 to Appelt et al.; and 6,434,524 to Weber. (References A and B, respectively, in the March 11, 2004 Office Action) were cited. Claims 1-49 remain in the case. The Examiner's rejections are traversed below.

### The Examiner Interview

The undersigned wishes to thank the Examiner for the productive Examiner Interview held December 14, 2004. As discussed during the Examiner Interview, the independent claims have been amended to change "a spoken question" to --at least one word spoken by a user-- to make it clear that what is recognized is speech input from a user, not audio signals output by a computing device. As discussed during the Examiner Interview, Kanevsky et al. is directed to generating questions for a user to answer that are used in verifying the identity of the user and does not automatically update a grammar, because doing so would not aid in identifying users.

### Claim Objections

In items 2 and 3 on page 2 of the Office Action, the Examiner objected to claims 5 and 48 due to informalities. Claims 5 and 48 have been amended in response to the comments of the Examiner in items 2 and 3 of the Detailed Action. If these changes are insufficient, the Examiner is respectfully requested to contact the undersigned by telephone (if the claims are otherwise allowable), or explain what other changes should be made in the next Office Action.

### Rejections under 35 USC § 102(b)

In item 6 on pages 2-3 of the Office Action, claims 1-3, 23-25, 39 and 47-49 were rejected under 35 USC § 102(b) as anticipated by Kanevsky et al. As discussed during the Examiner Interview, Kanevsky et al. does not teach or suggest "recognizing at least one word

spoken by a user using a grammar that is automatically updated from sources of information external to the interactive voice response system" (e.g., claim 1, 3-5), but rather identifying a user based on information in databases. It is not the words spoken by a user, but rather the user himself or herself who is identified in the system taught by Kanevsky et al. No suggestion has been found in Kanevsky et al. that its speech recognition relies on the information in the databases. Instead, speech is recognized in the Kanevsky et al. system in a conventional manner "using a classical large vocabulary speech recognition engine using Hidden Markov Models, mixtures of Gaussian probabilities, mel cepstral vectors as acoustic features, a 20K or 64K vocabulary and a trigram language model" (column 13, lines 52-56). For the above reasons and as discussed during the Examiner Interview, it is submitted that Kanevsky et al. does not teach or suggest the claimed invention.

#### **Rejections under 35 USC § 103(a)**

In item 8 on pages 4-8 of the Office Action, claims 4-12, 14-16, 26-32, 34 and 40-44 were rejected under 35 USC § 103(a) as unpatentable over Kanevsky et al. in view of Appelt et al. As discussed during the Examiner Interview, it would not have been obvious to one of ordinary skill in the art to include news sources with the databases in the system taught by Kanevsky et al., because they would not help identify a user. News sources inherently contain information that has been publicized and therefore, people other than the person to be identified would be aware of the information in the news sources. This is the exact opposite of what a system attempting to identify a user would want. The purpose of the databases in the system taught by Kanevsky et al. is to access information about the user that only the user would know.

Furthermore, nothing in Appelt et al. would suggest to one of ordinary skill in the art modification of Kanevsky et al. to recognize speech as recited in the claims, instead of using the conventional method described in column 13 and quoted above. For the above reasons, it is submitted that claims 4-12, 14-16, 26-32, 34 and 40-44 patentably distinguish over Kanevsky et al. in view of Appelt et al.

In item 9 on page 9 of the Office Action, claims 18-22, 35-38, 45 and 46 were rejected under 35 USC § 103(a) as unpatentable over Kanevsky et al. in view of Appelt et al. and Weber. As discussed in the Amendment filed June 10, 2004, Weber discloses a system that uses a combination of context-specific grammars 212 (Fig. 2), a general grammar 214 and dictation grammar 216. As illustrated in Fig. 3A (with correction to the labeling of block 306), when speech is not recognized by the context-specific grammar, the general grammar is searched and, if necessary, the dictation grammar is searched. The grammars are updated in response to

additional input provided by the user of a computer having an interactive voice recognition interface, not automatically or from an external source of information. Therefore, it is submitted that Weber does not teach or suggest modification of Kanevsky et al., with or without the additional teachings of Appelt et al., to perform the operations recited in the claims. For the above reasons, it is submitted that all of the claims patentably distinguish over Kanevsky et al. in view of Appelt et al. and Weber.

### Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-49 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8(a)**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1/4/2005.  
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